

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Dane K. Fisher *et al.*,

Petitioner

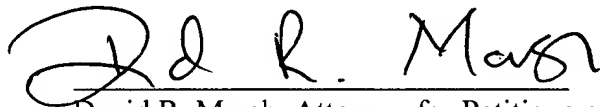
v.

PETITION FOR REVIEW

United States Patent and Trademark Office, Respondent.

Dane K. Fisher and Raghunath V. Lalgudi hereby appeal to the Court of Appeals for the Federal Circuit for review of the decision of the Board of Patent Appeals and Interferences ("B.P.A.I."), U.S. Patent and Trademark Office, entered on March 31, 2004 in application serial number 09/619,643 filed July 19, 2000 (also accorded B.P.A.I. appeal number 2002-2046).

Dated: May 27, 2004



David R. Marsh, Attorney for Petitioners  
ARNOLD & PORTER LLP  
555 Twelfth Street, N.W.  
Washington, D.C. 20004  
(202) 942-5000 (phone)  
(202) 942-5999 (facsimile)

Of Counsel

Lawrence M. Lavin, Jr.  
Thomas E. Kelley  
MONSANTO COMPANY  
800 N. Lindbergh Blvd.  
Mailzone N2NB  
St. Louis MO 63167  
(314) 694-3602 telephone  
(314) 694-1671 facsimile

#19

SOLICITOR

ARNOLD & PORTER LLP MAY 27 2004

U.S. PATENT & TRADEMARK OFFICE

David R. Marsh, Ph.D.  
David\_Marsh@aporter.com

202.942.5068  
202.942.5999 Fax

555 Twelfth Street, NW  
Washington, DC 20004-1206

May 27, 2004

Mail Stop 8  
Office of the Solicitor  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Appeal No. 2002-2046

Confirmation No. 2183

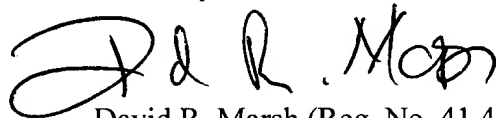
Re: U.S. Patent Application Serial No. 09/619,643 filed July 19, 2000  
Inventors: Dane K. FISHER *et al.*  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Atty. Dkt: 16517.291

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office, is an original Petition for Review to the United States Court of Appeals for the Federal Circuit. Three copies of this Petition, as well as Arnold & Porter LLP Check No. 9259178 in the amount of \$250.00, are being hand-carried, on even date, to the Court of Appeals for the Federal Circuit.

It is not believed that any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.291.

Sincerely,



David R. Marsh (Reg. No. 41,408)

Enclosure